

SECOND REGULAR SESSION

[CORRECTED]

[PERFECTED]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 563

96TH GENERAL ASSEMBLY

Reported from the Committee on Education, February 21, 2012, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 563, adopted February 29, 2012.

Taken up for Perfection February 29, 2012. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

4408S.03P

AN ACT

To repeal sections 174.332 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to governing boards of state universities, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 174.332 and 174.450, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 174.332 and 174.450, to read as follows:

174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to any one political party. **Not more than two voting members shall be residents of the same county.** The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided at least one member shall be a resident of Nodaway County;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

14 (2) Two voting members shall be residents of a county in the state that
15 is outside the university's historic statutory service region, as described in section
16 174.010 and modified by section 174.250, provided these two members shall not
17 be appointed from the same congressional district; and

18 (3) One nonvoting member shall be a full-time student of the university,
19 a United States citizen, and a resident of Missouri.

20 3. A majority of the voting members of the board shall constitute a
21 quorum for the transaction of business; however, no appropriation of money nor
22 any contract that shall require any appropriation or disbursement of money shall
23 be made, nor teacher employed or dismissed, unless a majority of the voting
24 members of the board vote for the same.

25 4. Except as specifically provided in this section, the appointments and
26 terms of office for the voting and nonvoting members of the board, and all other
27 duties and responsibilities of the board, shall comply with the provisions of state
28 law regarding boards of regents.

174.450. 1. Except as provided in subsection 2 and subsection 6 of this
2 section, the governing board of **the University of** Central Missouri [State
3 University], Missouri State University, Missouri Southern State University,
4 Missouri Western State University, and of each other public institution of higher
5 education which, through the procedures established in subdivision (7) or (8) of
6 section 173.030, is charged with a statewide mission shall be a board of governors
7 consisting of eight members, composed of seven voting members and one
8 nonvoting member as provided in sections 174.453 and 174.455, who shall be
9 appointed by the governor of Missouri, by and with the advice and consent of the
10 senate. No person shall be appointed a voting member who is not a citizen of the
11 United States and who has not been a resident of the state of Missouri for at
12 least two years immediately prior to such appointment. Not more than four
13 voting members shall belong to any one political party. The appointed members
14 of the board of regents serving on the date of the statutory mission change shall
15 become members of the board of governors on the effective date of the statutory
16 mission change and serve until the expiration of the terms for which they were
17 appointed. The board of regents of any such institution shall be abolished on the
18 effective date of the statutory mission change, as prescribed in subdivision (7) or
19 (8) of section 173.030.

20 2. The governing board of Missouri State University, a public institution
21 of higher education charged with a statewide mission in public affairs, shall be

22 a board of governors of ten members, composed of nine voting members and one
23 nonvoting member, who shall be appointed by the governor, by and with the
24 advice and consent of the senate. The nonvoting member shall be a student
25 selected in the same manner as prescribed in section 174.055. At least one but
26 no more than two voting members shall be appointed to the board from each
27 congressional district, and every member of the board shall be a citizen of the
28 United States, and a resident of this state for at least two years prior to his or
29 her appointment. No more than five voting members shall belong to any one
30 political party. The term of office of the governors shall be six years, **except as**
31 **provided in this subsection.** [The voting members of the board of governors
32 serving on August 28, 2005, shall serve until the expiration of the terms for which
33 they were appointed. For those voting members appointed after August 28, 2005,
34 the term of office will be established in a manner where no more than three terms
35 shall expire in a given year.] The term of office for those appointed hereafter shall
36 end January first in years ending in an odd number. **For the six voting**
37 **members' terms that expired in 2011, the successors shall be appointed**
38 **in the following manner:**

39 **(1) Of the five voting members' terms that expired on August 28,**
40 **2011, one successor member shall be appointed, or the existing member**
41 **shall be reappointed, to a term that shall expire on January 1, 2013;**

42 **(2) Of the five voting members' terms that expired on August 28,**
43 **2011, two successor members shall be appointed, or the existing**
44 **members shall be reappointed, to terms that shall expire on January 1,**
45 **2015;**

46 **(3) Of the five voting members' terms that expired on August 28,**
47 **2011, two successor members shall be appointed, or the existing**
48 **members shall be reappointed, to a term that shall expire on January**
49 **1, 2017; and**

50 **(4) For the voting member's term that expired on January 1,**
51 **2011, the successor member shall be appointed, or the existing member**
52 **shall be reappointed, to a term that shall expire on January 1, 2017.**

53 Notwithstanding any provision of law to the contrary, nothing in this section
54 relating to a change in the composition and configuration of congressional
55 districts in this state shall prohibit a member who is serving a term on August
56 28, 2011, from completing his or her term.

57 3. If a voting member of the board of governors of Missouri State

58 University is found by unanimous vote of the other governors to have moved such
59 governor's residence from the district from which such governor was appointed,
60 then the office of such governor shall be forfeited and considered vacant.

61 4. Should the total number of Missouri congressional districts be altered,
62 all members of the board of governors of Missouri State University shall be
63 allowed to serve the remainder of the term for which they were appointed.

64 5. Should the boundaries of any congressional districts be altered in a
65 manner that displaces a member of the board of governors of Missouri State
66 University from the congressional district from which the member was appointed,
67 the member shall be allowed to serve the remainder of the term for which the
68 member was appointed.

69 6. The governing board of Missouri Southern State University shall be a
70 board of governors consisting of nine members, composed of eight voting members
71 and one nonvoting member as provided in sections 174.453 and 174.455, who
72 shall be appointed by the governor of Missouri, by and with the advice and
73 consent of the senate. No person shall be appointed a voting member who is not
74 a citizen of the United States and who has not been a resident of the state of
75 Missouri for at least two years immediately prior to such appointment. Not more
76 than four voting members shall belong to any one political party.

Section B. Because of the importance of appointing members to governing
2 boards of state universities in a timely manner, section A of this act is deemed
3 necessary for the immediate preservation of the public health, welfare, peace and
4 safety, and is hereby declared to be an emergency act within the meaning of the
5 constitution, and section A of this act shall be in full force and effect upon its
6 passage and approval.

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